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Open Court

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH : ALLAHABAD

Original Application No.1364 of 1997

Wednesday, this the 28th day of January, 2004

Hon'ble Mr. Justice S.R. Singh, V.C.
Hon'ble Mr. D. R. Tiwari, A.M.

Deo Raj Kuril,
Son of Sri Prem Prakash
resident of 18-A Bara Sirohi,
I.I.T. Kanpur,
Pin No.208016

....Applicant

(By Advocate : Shri O.P.Gupta)

Versus

1. General Manager,
Field Gun Factory Kanpur
Pin 208003.
2. Union of India,
through Secretary,
Ministry of Defence,
Government of India,
New Delhi.
3. O.P. Verma,
Steno Grade-II (P.A.)
in o/o Small Arms Factory
Kanpur.

.... Respondents

(By Advocate : Shri A. Mhiley)

O R D E R

By Hon'ble Mr. Justice S.R. Singh, V.C. :

Heard counsel for the parties and have also perused
the pleadings.

2. The applicant was initially appointed on the post of Stenographer Grade-II w.e.f. 16.12.1991 alongwith 03 others namely Rajesh, A.K. Ganguly and A.K.Gupta. The applicant being the 4th in the order of seniority became

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eligible for promotion to the post of Stenographer Grade-II on completion of 05 years regular service in the lower grade. The grievance of the applicant is that even though one post is vacant, the applicant has not been considered for promotion since December, 1996.

3. It is conceded that the applicant has since been promoted to the post of Stenographer Grade-II w.e.f. 24.2.2003 but his grievance is that he ought to have been promoted w.e.f. due date i.e. 31.12.1996. The existence of vacancy of Stenographer Grade-II since the year 1996 is not disputed. Rather it stands admitted vide Annexure-4 to the O.A.

4. In the facts and circumstances, we are of the view that the ends of justice shall better be served if the O.A. is disposed of with the direction to the Competent Authority i.e. General Manager, respondent No.1 to consider and dispose of the applicant's representation dated 1.11.1997 (Annexure-A-9) by means of a reasoned and speaking order within a period of three months from the date of receipt of this order. It goes without saying that if the applicant is found suitable for promotion w.e.f. 1996, appropriate order may be issued in that regard by the Competent Authority.

5. The O.A. stands disposed of. No costs.

Hector
MEMBER (A)

Paranjpye
VICE-CHAIRMAN

RKM/